(a) whether the Ministry's proposal that old scheme of appointing Judges by the Executive authority has been opposed by the Bar Associations and also the Judiciary;

(b) whether the Department-related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice has suggested that appointment of higher judiciary should be made transparent, so as to ensure that only deserving candidates make it to the Bench;

(c) whether the Committee has also recommended that in order to bring down arrears of cases, the number of Judges in the Supreme Court be raised to 31, instead of 26 at present; and

(d) whether any final decision has been taken in this regard?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) No, Sir.

(b) Yes, Sir.

(c) Yes, Sir.

(d) The Supreme Court (Number of Judges) Amendment Bill 2008, which seeks to increase the number of Supreme Court Judges from 26 to 31, is pending for consideration in the Lok Sabha.

Laws related to rape cases

1464. SHRI GIREESH KUMAR SANGHI:
SHRIMATI SUPRIYA SULE:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether, in the month of October, a High Court urged Government to frame laws that heal scars of rape;

(b) if so, whether number of rape cases that had gone to various High Courts, have impressed upon the Government that there should be stringent laws to deal with the rape cases, so that such cases are checked; and

(c) whether a large number of Judges has suggested that steps should be taken by legislation to rehabilitate rape victims?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) to (c) No information regarding observation of any High Court on framing laws that deal with healing the scars of rape or impressing upon Government that there should be stringent laws to deal with rape has been communicated to Government. The Government has introduced the Code of Criminal Procedure (Amendment) Bill, 2006 which *inter-alia* contains a proposal regarding, payment of compensation and rehabilitation of victims, including victims of rape.

Coverage of Supreme Court and High Court under RTI Act

1465. SHRI DARA SINGH:
SHRI RAMDAS AGARWAL:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Ministry has opined that the Right to Information Act (RTI) does not cover the Supreme Court and High Court Judges, whereas the Act itself does not exempt such constitutional bodies;

(b) whether the Ministry's above decision is in sharp contrast to the stand taken by a Parliamentary Panel, which in a Report submitted to Parliament in May, said that except the judicial decision making, all other activities of administration and persons included in judiciary are subject to RTI Act; and

(c) if so, Government's reaction thereto?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) No, Sir.

(b) and (c) Does not arise.

Pending cases and strength of judges in courts

1466. SHRI SANJAY RAUT: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) what is the pendency of cases in the lower courts, High Courts and Supreme Court;

(b) whether, keeping in view the large number of pendency of cases, Government is going to increase the number of Judges in trial courts, High Courts and Supreme Court;

(c) what is the number of women judges in High Courts and Supreme Court; and

(d) whether Government is contemplating to increase the number of women judges in the higher courts?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) 48,838 cases were pending in Supreme Court of India as on 31.8.08. 38,82,074 cases and 2,52,40,185 cases were pending in High Courts and Subordinate Courts respectively as on 30.6.08.

(b) The judge strength of the High Courts is reviewed periodically. 163 posts of Judges have been created in various High Courts during the years 2006, 2007 and 2008. As regards the Supreme Court, Government has already introduced The Supreme Court (Number of Judges) Amendment Bill, 2008 in the Lok Sabha on 29.4.2008. The Bill envisages increase in the Judge strength of the Supreme Court from the present 25 to 30 Judges, excluding the Chief Justice of India.

Increase in the number of Judges in Trial Courts is within the purview of the State Government.

(c) There is no woman Judge in the Supreme Court of India. There are 44 women Judges in various High Courts in the country.

(d) Appointments of Judges of the High Courts are made under Article 217 of the Constitution of India which does not provide for reservation for any caste or class of persons. The Government has, however, addressed letters to the Chief Justices of the High Courts from time to time, requesting them to locate women from the Bar who are suitable for appointment as High Court Judges.

Constitution of Committees by Supreme Court

1467. SHRI SHANTARAM LAXMAN NAIK: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) which are the Government departments with respect to which the Supreme Court of India has constituted Committees for monitoring the directions issued by them or otherwise;